IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1918 OF 2006
IN
WRIT PETITION NO. 9144 OF 2003.

Shri Vithal Zipru Mundhe & ors. ... Applicants.

V/s.

Shri Suresh Vasant Govekar since
decceased through his heirs;
Mr.Vijay Suresh Govekar & ors. ... Respondents.

A.L.Desai for the applicants.

K.K.Jadhav for respondent No.2.

CORAM: V.C.DAGA, J.

DATED: 27th September 2006.

P.C.:

. Heard learned counsel for the rival parties.

. Considering the delay in making application and cause shown therefor, civil application is allowed, however, subject to costs of Rs.1,000/- to be paid to respondent No.2. Delay in filing application is condoned. Abatement is set aside. Legal heirs of respondent No.1 be brought on record by carrying out necessary amendment in the cause title of the petition within two weeks from today. Failure on

the part of the petitioners to comply with either of the conditions stipulated hereinabove, application shall be deemed to have been rejected without reference to the Court.

. Civil application stands disposed of accordingly.

(V.C.DAGA, J.)